

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.756 OF 2006

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Office notes, office
memoranda of Coram,
appearances, Court's Court's or Judge's orders.
orders or directions
and Registrar's orders.
.....

Shri Mandar Limaye for the Appellant.
Shri P.G.Lad for the Respondent No.1.

CORAM : ABHAY S.OKA, J.
DATED : MARCH 30, 2007.

P.C.:

1. The learned Advocate for the first Respondent states that he has already given a proposal for the settlement to the Appellant and he has not received response as yet. In view of this position, Appeal is taken up for admission.

2. The challenge in this Appeal From Order is to order dated 12th October, 2006 by which ad-interim relief has been granted in favour of the first Respondent-original Plaintiff in terms of prayer clause (a) of the Notice of Motion. The ad-interim relief is operating for last more than five months. The Notice of Motion is pending and pleadings in Notice of Motion are already complete.

3. Considering the aforesaid facts, at this stage no inference can be made with the ad-interim order which is operating from 12th October, 2006. Appeal is accordingly dismissed.

4. The Notice of Motion shall be disposed of expeditiously and preferably before the end of June 2007. All contentions of the parties on merits are expressly kept open. While deciding the Notice of Motion, the learned Judge will not be influenced by the ad-interim order and confirmation thereof by this Court.

JUDGE